

**Provincial Advisory Council for the
Inclusion of Persons with Disabilities
Annual Report 2021-2022**



Available in alternate format. Please contact the Disability Policy Office:

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Video Relay Service (VRS) calls welcomed

Please Note:

This document follows:

- **Clear Print Accessibility Guidelines** (Canadian National Institute for the Blind). Italics or upper-case letters have not been used for the titles of acts, titles, sub-titles or for emphasis. Bold fonts of medium heaviness are used instead.
- Government of Newfoundland Labrador's **Accessible Communications Policy** in which clear/plain language, accessible formatting and taglines are used to ensure content is readable and understood.

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Chairperson's Message

Honourable John Abbott
Minister Responsible for the Status of Persons with Disabilities
Government of Newfoundland and Labrador
P.O. Box 8700, St. John's, NL A1B 4J6

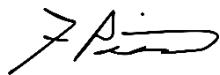
Dear Honourable Minister Abbott:

On behalf of the Provincial Advisory Council for the Inclusion of Persons with Disabilities (the Council), I am pleased to submit our final Annual Report 2021-2022, which is the second year of the Council's Activity Plan 2020-23.

This report covers the period April 1, 2021 to December 3, 2021 and provides results of the Council's Activity Plan 2020-23. As per the Council's mandate, this annual report serves to advise the Minister Responsible for the Status of Persons with Disabilities on issues critical to the inclusion of persons with disabilities and to continue its focus on the development of the provincial accessibility legislation. **An Act Respecting Accessibility In The Province** (the **Accessibility Act**) became law on December 3, 2021. On this date, the Council was dissolved to enable the establishment of a new Accessibility Standards Advisory Board. On behalf of the Council, I would like to thank the Minister for the opportunity to provide advice on matters of importance related to the inclusion of persons with disabilities.

The Council is a Category III entity under the **Transparency and Accountability Act**. As chairperson, my signature below is on behalf of the Council and indicative of the Council's accountability for the actual results reported herein.

Sincerely,



Fraser Piccott
Chairperson

Overview

The Provincial Advisory Council for the Inclusion of Persons with Disabilities (the Council) was established in November 2009. The Council's role is to:

- Advise the Provincial Government on ways to remove and prevent barriers to ensure persons with disabilities can participate in society and access policies, programs and services on an equitable basis with others;
- Secure and strengthen relationships with communities and businesses and to advise the Minister Responsible for the Status of Persons with Disabilities on current issues, innovative ideas, new priorities and best practices.

The Council is comprised of 13 members including the chairperson. Members are appointed for two or three-year terms and represent various regions of the province, gender, age and urban-rural balance. Members have diverse backgrounds, cultures and perspectives, bringing a wealth of knowledge and cross-disability experience. The Council meets three to four times a year; however, the Council met twice virtually this year, prior to its dissolution on December 3, 2021. Please refer to the Council's webpage for more information (<https://www.gov.nl.ca/cssd/disabilities/advisory-council/>).

Costs of the Council are covered by the Department of Children, Seniors and Social Development (CSSD). The Disability Policy Office (DPO) of CSSD provides secretariat and administrative support to the Council.

Vision

The Council's vision is that Newfoundland and Labrador will be a province where persons with disabilities have the same opportunities as persons without disabilities – a province that is accessible and inclusive.

Mandate

Through the Minister Responsible for the Status of Persons with Disabilities, the Council is mandated to:

- bring knowledge and understanding of disability-related issues to the Provincial Government;
- advise the Provincial Government as it develops policies, programs, strategies and recommendations to advance the inclusion of persons with disabilities; and,

- promote awareness to the Provincial Government of barriers experienced by persons with disabilities.

The Council supports the following values:

- access – providing equitable access to the same opportunities, on an equal basis with others;
- respect – understanding that everyone is different, valuing everyone’s contribution and treating everyone with dignity;
- inclusion – full and effective participation in all aspects of society;
- choice – having choice on an equal basis as others;
- self-determination – the right to have full control of one’s own life and to make informed choices that are free of persuasion, based on one’s own personal beliefs, values, interests and goals; and,
- privacy – maintaining the confidentiality of personal information that is important and sensitive.

Physical Location

The Council can be contacted through the DPO, which is located within CSSD, 3rd Floor, Confederation Building, West Block, St. John’s, Newfoundland and Labrador.

Representation

In accordance with the Council’s Terms of Reference, the Council can have 12 to 18 members who are appointed through the merit based process with the Independent Appointments Commission. The Council meets three to four times a year (see Appendix A: Terms of Reference and Appendix B: Council Biographies).

Membership List

Fraser Piccott (chair)
Paula Corcoran-Jacobs
Pauline Duffy
Patricia Lorraine Dwyer
Erika Breen Hearn
Bruce Oldford

Kimberley Maich
Wendy Monk
Nancy Reid
Jennifer Rimmer
Katarina Roxon
Debbie Ryan
Rose Wilson

Primary Clients

The Council brings knowledge and understanding of disability-related issues to the Provincial Government and advances the inclusion of persons with disabilities in society. In this capacity, the Council serves its primary client, the Provincial Government, by providing advice to the Minister Responsible for the Status of Persons with Disabilities.

Description of Expenditures

Council members serve in a volunteer capacity and are reimbursed for expenses to attend meetings as per Provincial Government policy. The travel expenses and costs associated with the work of the Council are covered by CSSD and are included in the CSSD departmental budget (See Appendix C: 2021-2022 Expenditures).

Highlights and Partnerships

In the last nine months of 2021, the Council's advice to the Provincial Government on the inclusion of persons with disabilities focused on accessibility legislation, built environment, and disability-related supports.

The Council engaged in productive and robust dialogue with the Buildings Accessibility Advisory Board about improving the **Buildings Accessibility Act (BAA)**. The Council provided recommendations for the update to the **BAA** regulations to strengthen accessibility in the built environment throughout the province. The recommendations included: the application of cross disability perspectives in the tribunal process; the phased-in approach of the built environment that has clear accessible language to ensure all buildings adhere to accessibility requirements in the **BAA**; ensuring currently exempt building types become no longer exempt under the **BAA**; removing accessibility exemption to residential properties with businesses; and, creating tax incentives for accessibility renovations.

The Council had fulsome discussion and provided insights into the provincial accessibility legislation including: implementation of digital accessibility in the **Accessibility Act** for clear and accessible understanding, the recognition of American Sign Language (ASL) as the language of communication used by Deaf persons and consideration of municipality policies in the **Accessibility Act** to prevent compliance and enforcement loopholes. The Council continued its advisory role until the accessibility legislation became law on December 3, 2021. The work involved with the development, implementation and delivery of the accessibility standards will continue with the new Accessibility Standards Advisory Board, which is currently being established.

The commitment to enhance inclusion in the province is shared among all levels of government, the Council, communities and businesses. The Council continued to engage, discuss and provide advice to the Provincial Government. This commitment also adheres to the principles and spirit of the **United Nations Convention on the Rights of Persons with Disabilities**; a vision of inclusion for everyone in all aspects of daily living.

Report on Performance

The Activity Plan 2020-23 includes two key activities with objectives and indicators for three fiscal years (2020-21, 2021-22 and 2022-23):

- Advise on Issues Critical to the Inclusion of Persons with Disabilities
- Advise on the Accessibility Legislation

The final report includes the period from April 1, 2021 until the Council was dissolved on December 3, 2021 when the **Accessibility Act** became law.

Activity 1: Advise on Issues Critical to the Inclusion of Persons with Disabilities

The Council is mandated to advise and inform the Provincial Government, through the Minister Responsible for the Status of Persons with Disabilities, on matters concerning persons with disabilities in Newfoundland and Labrador. In carrying out this role, the Council provides advice on many issues including the development of policies, programs, and strategies to advance the inclusion of persons with disabilities.

Objective:

By March 31, 2022, the Council provided advice on issues critical to the inclusion of persons with disabilities.

Indicators	Results
Provided advice via correspondence, position statements, advice papers and presentations to the Minister Responsible and other Provincial Government officials on systemic issues critical to the inclusion of persons with disabilities.	Engaged in dialogue and provided insight to the Minister Responsible on issues critical to the inclusion of persons with disabilities including: <ul style="list-style-type: none">• ongoing collaboration with government and community to increasing awareness on identified issues and barriers experienced by persons with disabilities during COVID pandemic; and,• increasing education and awareness of Registered Disability Savings Plans (RDSP). Engaged in dialogue with the Buildings Accessibility Advisory Board (the Board) on their recommendations for

Indicators	Results
	<p>updating and improving the BAA. The Council provided additional input including:</p> <ul style="list-style-type: none"> • importance of including persons with lived experience in the tribunal process to ensure accessibility expertise, multiple disability perspectives and backgrounds; • phased in approach to the built environment; language must be clear and straightforward to ensure that all buildings must meet the accessibility requirements of the BAA; • flagged a potential loophole regarding renovations to ensure that individuals or property owners of buildings do not maintain some form of exemption beyond the period that they could or should; • ensure that any buildings that change ownership or have a change in purpose or activity no longer be able to claim the exemption from the BAA; • ensure that building types that are currently exempt from BAA, become no longer exempt; • creation of tax incentives for accessibility renovations; • recommended that fines should only have maximum amounts so people do not appeal for minimum amount; • ensure resources are in place to enforce the regulations; • importance of educating and communicating to the public on changes in BAA with government facilitating this up front; and, • residential properties with businesses should not be exempt from accessibility.
<p>Provided advice on the development of Advocate for Persons with Disabilities, as per Minister Responsible's mandate letter.</p>	<p>The Council completed this in 2020-2021. The development of the Advocate for Persons with Disabilities is currently under review by the department of CSSD.</p>

Summary:

As of December 3, 2021, the Council continued to provide advice to the Minister Responsible and Provincial Government officials on issues critical to persons with disabilities, including ensuring ongoing collaboration on barriers experienced during the pandemic and increasing education and awareness of RDSP. In addition, the Council provide feedback on improving the **BAA** including the application of cross disability perspectives in the tribunal process, the phased - in approach of the built environment (e.g., has clear accessible language and therefore adhere to accessibility requirements in the **BAA**), ensuring currently exempt building types become no longer exempt under the **BAA**, removing accessibility exemption to residential properties with businesses, and creating tax incentives for accessibility renovations.

Activity 2: Advise on the Accessibility Legislation

The Provincial Government is committed to developing and enacting new provincial accessibility legislation. The Council has been involved with engagement process and the development of the legislation, providing advice on barrier prevention and removal that can be addressed in the accessibility legislation. The Council's advice will impact the subsequent development of standards to encourage participation of persons with disabilities and ensure effective representation of the disability community.

Objective

By March 31, 2022, the Council will have advised on the development, implementation and delivery of provincial accessibility legislation.

Indicator	Results
Provided input on the development of materials to ensure a common understanding of what provincial legislation can achieve.	Identified a potential barrier associated with accessible digital public information including legislation (i.e. accessible format, plain language) and provided input on implementing digital accessibility in the legislation to ensure there is a common, clear and accessible understanding of the legislation.
Provided input on considerations when drafting accessibility legislation.	Engaged in dialogue and provided insight on the considerations when developing accessibility legislation including: <ul style="list-style-type: none"> • importance of the accessibility legislation recognizing and following the principles of the United Nations Convention on the Inclusion of Persons with Disabilities; and, • ensuring that the legislation takes into consideration municipal policies and does not create loopholes instead of enforcement and compliance.
Provided input on the development of the regulations and what regulations can achieve.	Engaged in dialogue and discussed American Sign Language (ASL) as is recognized in the British Columbia legislation. The Council provided insight on the development of regulations including the access to information and communications with a recognition of ASL as the language of communication used by Deaf

Indicator	Results
	persons.
Provided feedback on the development and the process for standards.	Feedback on standard development and processes will continue when the Accessibility Standards Advisory Board is established.

Summary:

As of March 31, 2022, the Council provided insight and advice on the development, implementation and delivery of provincial accessibility legislation. This insight and advice included implementing digital accessibility in the legislation to ensure a clear and accessible understanding of the legislation, the importance of recognizing and following the principles of the **United Nations Convention on the Inclusion of Persons with Disabilities**, consideration of municipal policies in the **Accessibility Act** to prevent compliance and enforcement loopholes, and recommended that the legislation recognize ASL as the language of communication used by Deaf persons.

Opportunities and Challenges

The Council continued its mandate on advising the Government of Newfoundland and Labrador on issues related to inclusion of persons with disabilities and provided insight on the provincial accessibility legislation until its dissolution on December 3, 2021 when the **Accessibility Act** became law. Once established the Accessibility Standards Advisory Board will continue with the implementation and delivery of the legislation and its standards.

The Council acknowledges Provincial Government departments and agencies, the Disability Policy Office, community stakeholders and disability advocates for helping to inform the Council’s advice offered to the Minister Responsible for the Status of Persons with Disabilities and encourage ongoing dialogue, learning and collaboration toward a barrier free Newfoundland and Labrador.

Appendix A: Terms of Reference

Mandate

The Provincial Advisory Council for the Inclusion of Persons with Disabilities advises and informs the Provincial Government through the Minister Responsible for the Status of Persons with Disabilities on matters concerning persons with disabilities in Newfoundland and Labrador.

Role and Functions

The Council:

- Brings knowledge and understanding of disability-related issues to the Provincial Government through the Minister Responsible;
- Advises Provincial Government through the Minister Responsible as it develops policies, programs, strategies and recommendations to advance the inclusion of persons with disabilities;
- Promotes awareness to the Provincial Government through the Minister Responsible of barriers experienced by persons with disabilities and how to remove and prevent them.

Membership and Structure

The Council is comprised of 12 to 18 members appointed by the Provincial Government. The chair of the Council is appointed to serve a three year term. Council members are appointed for two year and three year terms.

Council members serve in a volunteer capacity and do not receive remuneration other than reimbursement for expenses to attend meetings. The Disability Policy Office provides secretariat and administrative support to the Council.

Application Process¹

Individuals who have a broad knowledge and understanding of disability-related barriers and issues experienced by people with disabilities in this province, interested in serving on the Council complete an application form for agencies, boards and commissions, accessed from the Public Service Commission website.

Consideration is given to cross-disability, regional, urban-rural representation and gender

¹ No further applications are being accepted as this entity has been dissolved to enable the establishment of a new Accessibility Standards Advisory Board.

balance. Applications are accepted in alternate formats. Steps in applying online:

1. Go to the [Public Service Commission website \(https://www.iacnl.ca/\)](https://www.iacnl.ca/).
2. In the left menu bar, click on [Apply Online](#), which directly opens to the online form page.
3. Fill out the form and apply to any agencies, boards and commissions that are of interest.

Please contact Public Service Commission for alternate format of form.

Accountability

The Council reports to the Minister Responsible for the Status of Persons with Disabilities. Under the **Transparency and Accountability Act**, the Council is a Category 3 Public Body and; therefore, must submit an annual report to be tabled in the House of Assembly. In addition, it must prepare and submit a three year activity plan.

Appendix B: Council Biographies

Fraser Piccott is semi-retired having most recently worked for the Newfoundland and Labrador Association for Community Living; Avalon Region, as both the Solutions Lab Project Coordinator and Development Coordinator. He is a retired Canadian Armed Forces veteran who has professional experience in business and community in supporting and advancing the lives of individuals with intellectual disabilities. Fraser brings vast experiences from work with numerous associations and boards, including: founding Chairperson of the Eastern Residential Support Board, Past Vice-President of Inclusion Canada, Past President of the NL Association for Community Living, Past President of the Vera Perlin Society as well as council member of the Provincial Advisory Council for the Inclusion of Persons with Disabilities since March 2017. Fraser is currently a board member of the Newfoundland and Labrador Housing Corporation, the Bowring Park Foundation and is Vice-President and the Founding Chairperson of Avalon Employment Inc.

Paula Corcoran is a National Master Trainer with the Mental Health Commission of Canada and represents the voice of living experience in many capacities. Paula passionately utilizes her experiences of living a Recovery lifestyle with mental illness and utilizing the mental health and addictions system to affect change, specifically through her role as Chair of the Recovery Council. She is also an appointed member of the Provincial Advisory Council on Inclusion of Persons with Disabilities since 2014, the Provincial Advisory Council on Mental Health and Addiction since 2015 and most recently the WorkplaceNL Board of Directors. She holds a Bachelor in Psychology from Memorial University of Newfoundland and Labrador. Paula has been the Provincial Executive Director of CHANNAL, a mental health peer support organization, for the past 11 years and is now embarking on a new journey. Using her unique experiences gained in running such an organization, Paula is now offering her experiences to other businesses seeking to ensure a psychologically safe workspace.

Pauline Duffy has personal lived experience with disability and has vast professional and volunteer experience with accessibility and inclusion. She was a board member with Epilepsy NL for over 20 years, as well as a treasurer and a tutor with the Laubach Literacy Association for over five years. Pauline is currently an active Rotarian and lives in Stephenville.

Patricia Lorraine Dwyer has personal experience fostering and supporting children with disabilities. Her longtime volunteering in her community includes the Royal Canadian Legion, the Lions Club, the Girl Guides and the Army Cadets and, formerly, the adaptive ski program at Marble Mountain. She has received several awards for her work in the community and provincially. Patricia lives with her husband, Fraser, in Steady Brook and has two grown children.

Erika Breen Hearn lives in Gander with her husband and two small children. Erika has professional experience in law and lived experience in accessibility. She also has a background of advocacy and volunteer work particularly with the Canadian Hard of Hearing Association Newfoundland and Labrador.

Kimberly Maich has professional experience and lived experience with disabilities and inclusion. She is an associate professor in the Faculty of Education at Memorial University and works in the field of inclusive education, researching, writing, and teaching on autism spectrum disorders in inclusive classrooms. She has studied, lived, and worked across Canada from Vancouver to St. Anthony. Kimberly has three grown children with disabilities and lives in a four-generation family outside of St. John's.

Wendy Monk has vast professional experience in education in various roles including teacher, Guidance Counsellor and Adult Basic Education instructor. She is an Accessibility Services Coordinator with College of the North Atlantic. Wendy is a parent to two extraordinary children who are hard of hearing.

Bruce Oldford has lived experience with removing barriers in the workplace, in the community and in his personal life. He has passion in finding adaptive ways and solutions to daily barriers in the environment experienced by persons with disabilities and sharing his learnings with others to strengthen inclusion in his community. Bruce lives in Central Newfoundland.

Nancy Reid has personal lived experience with disability and is a parent of a young adult who has multiple disabilities. She has a passion for advocacy and has worked in various related roles. Today, Nancy uses her professional and personal experience in her work with the Coalition of Persons with Disabilities – Newfoundland and Labrador.

Jennifer Rimmer is a proud user of American Sign Language (ASL) as her primary language. She is committed to Deaf activism and has had lifelong connections with Deaf and women's organizations across Newfoundland and Labrador as well as Canada. Jennifer is committed to Deaf activism as a volunteer, advocate and outreach consultant.

She works with the Newfoundland and Labrador Association of the Deaf as a Family Communication Program ASL consultant and has assisted with and co-lead wellness sessions with NLAD Health and Wellness. She is a recipient of 2014 Cecilia Carroll Award for Independent living and has a long-term and extraordinary personal commitment to full inclusion of people with disabilities in Newfoundland and Labrador, locally and nationally. Jennifer is a proud Memorial University of Newfoundland alumnus with a Bachelor of Arts in Sociology/Anthropology and Women Studies. She is also a member of Newfoundland and Labrador Deaf Choir and has worked with Canada Video Relay Service as Community Outreach Specialist.

Katarina Roxon is a recipient of the Order of Newfoundland and Labrador and the Queen Elizabeth II Diamond Jubilee Medal and is a 2016 Paralympic Gold Medalist. She lives and trains in Kippens-Stephenville, and has successfully represented Canada in major world swimming championships and Paralympic Games for 15 years.

Debbie Ryan has vast lived and professional experience with vision loss and is a strong advocate for persons with disabilities. She has been very active with CNIB, promoting awareness, eye health, self-advocacy, and removing barriers. She is currently a member of the City of St John's Inclusion Advisory Committee and Marine Atlantic's Inclusion Advisory Committee, and works with businesses on the best practices of diversity and accessibility. She is a past Board Member of the Coalition of Persons with Disabilities Newfoundland and Labrador and past president of the International Association of Business Communicators Newfoundland and Labrador (IABCNL). In 2019, Debbie was recognized by IABCNL as the Communications Professional of the Year for her work in inclusion and the prevention of vision loss.

Rose Anna Wilson is a Military veteran who served for 23 years, and has lived experiences with disabilities, mental health and issues related to seniors. She actively volunteers in her community as an Area Director of the Northern Peninsula for the Newfoundland and Labrador 50+ Federation, is a peer supporter for Seniors NL, secretary to local Royal Canadian Legion, and a current member on the Buildings Accessibility Advisory Board. Rose is originally from Buchans Junction and currently lives in Deer Lake.

Appendix C: 2021-2022 Expenditures

The Council met virtually twice from April 1, 2021 to December 3, 2021. There were no in person meetings due to the pandemic. The Council was dissolved when the **Accessibility Act** became law on December 3, 2021.

Area of Expenditures	Amount
Travel <ul style="list-style-type: none">• Flights, hotels, mileage, per diems, incidentals, taxi, disability-related supports	0
Purchased Services <ul style="list-style-type: none">• Zoom Conferencing license (yearly)• Disability-related supports (real time captioning, sign language interpreters, audio support)	\$400.00 \$1,653.85
Total	\$ 2,053.85